

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAMI SMITH,

Plaintiff,

v.

PRESIDIO NETWORKED SOLUTIONS,
LLC,

Defendant.

CIVIL ACTION

NO. 22-736

ORDER

AND NOW, this 26th day of June 2024, upon consideration of Plaintiff Kami Smith's Motion for Summary Judgment (Doc. No. 98), Defendant Presidio Networked Solutions, LLC's Response in Opposition (Doc. No. 103), Plaintiff's Reply (Doc. No. 107), Defendant's Motion for Summary Judgment (Doc. No. 99), Plaintiff's Response in Opposition (Doc. No. 104), Defendant's Reply (Doc. No. 106), the parties arguments at the hearing on the Motions (Doc. No. 139), Plaintiff's Supplemental Brief in Support of her Motion for Summary Judgment (Doc. No. 150), Defendant's Supplemental Brief in Support of its Motion for Summary Judgment (Doc. No. 151) and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Plaintiff's Motion for Summary Judgment (Doc. No. 98) is **DENIED**.
2. Defendant's Motion for Summary Judgment (Doc. No. 99) is **GRANTED** in part and **DENIED** in part as follows:
 - a. Defendant's Motion for Summary Judgment is **GRANTED** as to Plaintiff's hostile work environment and disparate pay claims based on gender

discrimination brought under Title VII of the Civil Rights Act of 1964 (“Title VII”) as alleged in Count I of the Complaint (Doc. No. 1).

- b. Defendant’s Motion for Summary Judgment is **DENIED** as to Plaintiff’s gender discrimination claim under Title VII as alleged in Count I of the Complaint.
 - c. Defendant’s Motion for Summary Judgment is **GRANTED** as to Plaintiff’s gender discrimination, hostile work environment and retaliation claims brought under the Pennsylvania Human Relations Act, 43 P.S. § 951, et seq. (“PHRA”) as alleged in Counts II and IV of the Complaint.
 - d. Defendant’s Motion for Summary Judgment is **GRANTED** as to Plaintiff’s retaliation claim under Title VII as alleged in Count III of the Complaint.
 - e. Defendant’s Motion for Summary Judgment is **DENIED** as to Plaintiff’s disability discrimination and retaliation claims brought under the Americans with Disabilities Act, 42 U.S.C. § 12101, et seq. (“ADA”) as alleged in Counts IV and V of the Complaint.
3. The claims remaining in the case are: (1) gender discrimination, in violation of Title VII (Count I), (2) disability discrimination, in violation of the ADA (Count V) and (3) retaliation, in violation of the ADA (Count VI).

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.